

Attachment 3: Municipal Water Supplier

Introduction

The Municipal Water Supply - Efficiency Requirements Act, Chapter 5, Laws of 2003 (Municipal Water Law) amended the Water Code, RCW 90.03.015, to define municipal water supply purposes, and to identify which water systems qualify as municipal water suppliers.

What are municipal water supply purposes?

The law defines municipal water supply uses as the beneficial use of water:

- a) For residential purposes through 15 or more residential service connections, or for providing residential use of water for a nonresidential population that is on average at least 25 people for at least 60 days a year;
- b) For governmental or governmental proprietary uses by a city, town, public utility district, county, sewer district, or water district; or
- c) Indirectly for the purposes in (a) or (b) through the delivery of treated or raw water to a public water system.

If a municipal water supplier meets the criteria for any of these uses, other water uses within the municipality may also be considered municipal water supply uses. In some cases, municipalities can recommend uses benefiting the environment, fish and wildlife, water quality, or other natural resources be designated as a beneficial use. These uses of water may be withdrawn or diverted by water right holders in response to an approved watershed plan, habitat conservation plan, federal hydropower license, or by a comprehensive irrigation district management plan.

Note: This section of the Municipal Water Law is very complex. Legal analysis by the Department of Health, the Department of Ecology and the Attorneys General's Office has not yet been completed. Many water systems will need to be assessed on a case-by-case basis to determine if they meet the definition provided by the Legislature. If you have questions about the municipal water supplier definition, please contact either the Department of Health or the Department of Ecology at the numbers listed below.

What is a municipal water supplier?

A municipal water supplier is defined by the Municipal Water Law (RCW 90.03.015(3)) as an "entity that supplies water for municipal water supply purposes."

Why should a water system care whether they are a municipal water supplier?

A primary purpose of the Municipal Water Law is to clarify the state's Water Code to provide flexibility and certainty of municipal water rights and efficient use of water for water systems that qualify as municipal water suppliers.

Does the definition of a municipal water supplier change the community Group A system definition?

No. The definition clarifies the state's Water Code and does not affect water system categories in state and federal drinking water regulations. A "Group A" community water system is defined in state drinking water regulations (Chapter 246-290 WAC) as a system that provides service to:

1. 15 or more connections for year-round residents for 180 or more days within a calendar year, regardless of the number of people, or
2. Serves at least 25 residents for 180 days or more per calendar year.

Note: Some non-community systems may be municipal water suppliers if they serve water for at least 60 days a year for a population of 25 or more for residential use.

For More Information:

The Department of Ecology can answer questions regarding the state's Water Code. The Department of Health can answer questions about water systems and drinking water regulations.

Department of Health, Office of Drinking Water, Regional Offices:

Southwest Regional Office	360-664-0768
Northwest Regional Office	253-395-6750
Eastern Regional Office	509-456-3115

Department of Ecology Regional Offices:

Northwest Regional Office	425-649-7000
Southwest Regional Office	360-407-6300
Central Regional Office	509-575-2490
Eastern Regional Office	509-329-3400